

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

ENTERED ON DOCKET
APR 26 2010

IN RE:)	CHAPTER 7
)	
STEVEN P. FELLOWS, RENEE L.)	CASE NO. 10-62244-MHM
FELLOWS,)	
)	
Debtors.)	
-----)	-----
)	
U.S. BANK, N.A. ITS)	
SUCCESSORS AND/ OR ASSIGNS,)	
)	
Movant,)	
)	
vs.)	CONTESTED MATTER
)	
STEVEN P. FELLOWS, RENEE L.)	
FELLOWS, and WILLIAM J.)	
LAYNG, JR., as Trustee,)	
)	
Respondents.)	
)	
)	

ORDER

This matter arose upon the Motion for Relief From Stay of 11 U.S.C. § 362 filed by Movant, who contends it is the holder of a Deed to Secure Debt (hereinafter referred to as the "Security Deed"), encumbering certain property known as 20428 Wakenden Redford, MI. 48240, as more particularly described in Exhibit "A" attached to the Motion (hereinafter referred to as the "Property"). Hearing before this Court was set for April 20, 2010, upon Notice of Assignment of Hearing to each of the above-captioned parties in interest. No opposition was presented by Debtors, Debtors' counsel, or Trustee; accordingly, it is hereby

ORDERED that the automatic stay of 11 U.S.C. Section 362 is

modified to allow Movant, its successors and assigns, to commence foreclosure proceeding against the Property pursuant to applicable state law, and to assert any or all of its respective rights under applicable state law as to the collateral. It is further

ORDERED that all foreclosure sale proceeds which exceed Movant's lawful debt shall be paid to the Trustee promptly.

A copy of this Order shall be mailed to the individuals identified on the Distribution List attached hereto. It is


FURTHER ORDERED that relief granted herein shall not be stayed by BR 4001(a)(3).

IT IS SO ORDERED, this the 23rd day of APRIL, 2010.


MARGARET H. MURPHY
UNITED STATES BANKRUPTCY JUDGE

PRESENTED BY:

LEVINE, BLOCK & STRICKLAND, LLP

BY: 
Ronald A. Levine, Esq.
(GA Bar No. 448736)
Attorneys for Movant
Centrum at Glenridge
780 Johnson Ferry Road
Suite 240
Atlanta, GA 30342
(404) 231-4567

Barrett, Daffin & Frappier, LLP
15000 Surveyor Boulevard
Suite 100
Addison, Texas 75001

PARTIES TO BE SERVED

Steven P. Fellows
Renee L. Fellows
1401 West Paces Ferry Rd. #4415
Atlanta, Georgia 30327

Sarah S. Cookey, Esquire
The Law Office Of Danny Coleman, PC
2475 Northwinds Parkway Suite 575
Alpharetta, GA. 30009

William J. Layng, Jr., Esq.
South Terraces, Suite 1000
115 Perimeter Center Place
Atlanta, Georgia 30346

Ronald A. Levine, Esq.
Levine, Block & Strickland, LLP.
Centrum at Glenridge
780 Johnson Ferry Road
Suite 240
Atlanta, GA 30342